

Appl. No. 09/731,945
Response to Miscellaneous Communication dated 10-30-06

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REMARKS/ARGUMENTS

The Office Action dated July 11, 2006 has been carefully considered. Claims 13-15 and 18-27 and 34 are pending. Claims 13 and 34 are independent claims and claim 13 has been amended hereby and claim 34 is new. Claims 28-33 have been withdrawn hereby without prejudice or disclaimer of the subject matter therein. Claims 16-17 have been canceled hereby without prejudice or disclaimer of the subject matter therein.

Claim Withdrawal

Claims 28-33 are withdrawn from consideration.

Claim Rejections Under 35 USC §§ 112

Claims 16-17 stand rejected under 35 U.S.C. § 112, second paragraph.

Claim Rejections Under 35 USC §§ 102

Claims 13-14, 16-18, 22, 25 and 27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lang et al. (US patent No. 6,406,659 B1).

Claim Rejections Under 35 USC §§ 103

Claims 15 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of White et al. (US patent No. 5,427,725). Claims 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of McClure et al. (US patent No. 6,090,335). Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of McClure et al. (US patent No. 6,090,335) and in further view of Imanara et al. (US Patent No. 5,364,584). Claim 26 stands rejected under 35 U.S.C. §

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103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of Stoeberl et al. (US patent No. 4,120,632).

The 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) rejections are respectfully traversed.

Claims 16 and 17 are cancelled to obviate the rejection under 35 U.S.C. § 112, second paragraph.

Claim 13, as amended, addresses the rejection under 35 U.S.C. § 102(e).

Support for the amendment of claim 13 and new claim 34 can be found in the specification and in the following exemplary passage, but support relied upon is not limited to this section:

[0153] The inner bag vacuum level should equal or exceed the vacuum level between the inner and outer bags so that a pressure is exerted on the inner bag from the chamber defined by the inner and outer bags. This situation occurs naturally when both the inner and outer bags are connected to the same vacuum source. If the outer bag vacuum level exceeds the inner bag vacuum level, the inner bag can be slightly displaced with less effective compaction of the preform.

Lang et al. applies a differential pressure with the greater pressure on the preform side of the inner bag and a lesser pressure on the spacer system, outer bag side, col 7, lines 22-27 as follows:

A resin pressure on the preform side of the flexible mold greater than the pressure in the channels below the surface of the flexible mold causes the flexible mold material between the channels and the preform to deform into the interior channels and thereby create resin distribution channels on the surface of the preform.

For the reasons above, it is respectfully submitted that Lang et al fails to anticipate Claim 13 of the present application. Claims 14, 16-18, 22, 25 and 27 depend from, and further patentably distinguish, Claim 13. The rejections of Claims 13-14, 18, 22, 25 and 27 under 35 U.S.C. 102(e) have therefore been overcome.

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Lang et al "... positions a spacer system (191) onto said inner bag, placing an outer vacuum bag (189) onto said spacer system (191) to form a second vacuum chamber..." as stated by the Examiner in the office action dated July 11, 2006 and shown in Figures 9-12 of Lang et al. Spacer system (191) prevents the second vacuum chamber from collapsing substantially against the first vacuum chamber. Lang et al. fails to anticipate new claim 34.

Claims 15 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over to Lang et al. (US patent No. 6,406,659 B1) in view of White et al. (US patent No. 5,427,725).

Claims 15 and 19 depend from Claim 13. It is respectfully submitted that Lang et al or White et al., either alone or in combination, fail to disclose, teach or fairly suggest Claims 15 and 19.

Claims 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of McClure et al. (US patent No. 6,090,335).

Claims 20 and 21 depend from Claim 13. It is respectfully submitted that Lang et al or McClure et al., either alone or in combination, fail to disclose, teach or fairly suggest Claims 20 and 21.

Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of McClure et al. (US patent No. 6,090,335) and in further view of Imanara et al. (US Patent No. 5,364,584). Claim 20 depends from Claim 13. Claims 23 and 24 depend from Claim 20. It is respectfully submitted that Lang et al, McClure et al. or Imanara et al., either alone or in combination, fail to disclose, teach or fairly suggest Claims 23 and 24.

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lang et al. (US patent No. 6,406,659 B1) in view of Stoeberl et al. (US patent No. 4,120,632). It is

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respectfully submitted that Lang et al or Stoeberl et al., either alone or in combination, fail to disclose, teach or fairly suggest Claim 26.

It is respectfully submitted that the references cited by the Examiner are not seen to anticipate or make obvious the present invention as in Claims 13 as amended, 14-15, 18-26, 27, as amended, and new Claim 34. Therefore, for at least of the above reasons, it is respectfully submitted that the rejections are improper. Reconsideration and withdrawal of the rejections are respectfully requested.

Reconsideration and allowance of the Application is respectfully requested.

Examiner Interview

A telephone interview was conducted on August 2, 2006 between the Examiner and Assignee's representative. Possible changes to the claims were discussed.

No agreement with regard to the Claims was reached.

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CONCLUSION

In view of the amendments to the claims, and the remarks presented above, it is respectfully submitted that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact the undersigned attorney in order to resolve any remaining issues.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 18-1730.

Respectfully submitted,



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